

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 3:07-cr-203

-vs-

Chief Magistrate Judge Michael R. Merz

:

ASHLEY F. BRUNN,

Defendant.

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**ORDER**

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This case came on for evidentiary hearing on Defendant's Motion to Suppress (Doc. No. 11). Upon the evidence adduced, the Court finds the arresting officers did not have probable cause to believe Defendant violated the assimilated traffic laws of the State of Ohio and the Motion to Suppress is therefore GRANTED.

The United States advised the Court that it would be unable to proceed with this case without the evidence which resulted from the traffic stop. Accordingly, the Information is dismissed with prejudice and Defendant is discharged from responding further.

September 18, 2008.

s/ **Michael R. Merz**  
Chief United States Magistrate Judge